

**U.S. Department of Justice***United States Attorney
Eastern District of New York*

KCB/KTF/NG/SMF
F. #2018R01401

271 Cadman Plaza East
Brooklyn, New York 11201

April 24, 2025

By E-mail and ECF

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Counsel for Rachel Cherwitz

Re: United States v. Rachel Cherwitz and Nicole Daedone
Criminal Docket No. 23-146 (DG)

Dear Counsel:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. This discovery is being produced to you pursuant to the Protective Order in the above-captioned matter, entered on November 15, 2024. ECF Dkt. No. 207.

I. The Government's Discovery

A. Documents and Tangible Objects

- Documents pertaining to OneTaste provided by Individual #34, Bates-numbered ONETASTE00277491-ONETASTE00277516;
- Documents pertaining to OneTaste provided by Individual #7, Bates numbered ONETASTE00277517-ONETASTE00277526;
- Image provided by Individual #41, Bates-numbered ONETASTE00277527;

- Business record certification from the New York State Department of Labor, Bates-numbered ONETASTE00277528-ONETASTE00277536;¹ and
- Negative responses to employment records subpoena requests for OneTaste wage records in Colorado, Kentucky, and Nevada, Bates-numbered ONETASTE00277537-ONETASTE00277546.

The government renews its request for reciprocal discovery from the defendants. Please note that the defendants' obligations under Fed. R. Crim. P. 16(b) include identification of "all non-impeachment exhibits [the defendants] intend to use in their defense at trial, whether the exhibits will be introduced through a government witness or a witness called by a Defendant." United States v. Napout, No. 15-CR-252 (PKC), 2017 WL 6375729, at *7 (E.D.N.Y. Dec. 12, 2017); accord United States v. Smothers, No. 20-CR-213 (KAM), 2023 WL 348870, at *22 (E.D.N.Y. Jan. 20, 2023).

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact us.

Respectfully submitted,

JOHN J. DURHAM
United States Attorney

By: /s/
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Nina Gupta
Sean Fern
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cc: Clerk of the Court (DG) (by ECF) (without enclosures)

¹ Identical records were previously produced to the defendants November 13, 2024 at ONETASTE00260551. The records contained in today's production simply contain a certification stamp.